

REMARKS

Claim 1 is amended by incorporating the subject matter of claims 2 and 4. Claim 2 is amended by incorporating the subject matter from claim 3. Claim 3 is rewritten as an independent claim by incorporating the subject matter of previous claims 1 and 2. Claims 4 and 6 are canceled. Claim 5 is amended to correct its dependency. Claim 7 is rewritten as an independent claim by incorporating the subject matter of previous claims 1 and 6. Claims 12-14 were previously canceled. No new matter is presented.

Accordingly, upon entry of the Amendment, claims 1-3, 5, 7-11 and 15 will be all of the claims pending in the application.

I. Response to Claim Rejection under 35 U.S.C. § 102

Claims 1, 2, 6 and 8-11 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Iwabuchi et al (U.S. Publication No. 2002/0041977).

Applicants respectfully submit that Iwabuchi does not disclose, teach or suggest all elements of the present claims.

Claim 1 is amended to incorporate the subject matter of claims 2 and 4. Thus claim 1 as amended includes a barrier film formed between the reflective film and the stimutable phosphor layer for preventing oxidation of the reflective film. This feature is not disclosed or suggested by Iwabuchi et al and therefore, the present invention as recited in amended claim is not anticipated nor rendered obvious by Iwabuchi et al. Claims 2 and 8-11 depend from

amended claim 1 and are distinguished over Iwabuchi et al for at least the same reasons.

Claim 6 is canceled, thereby rendering the rejection as to claim 6 moot.

In view of the above, Applicants respectfully request withdrawal of the rejection based on Iwabuchi et al.

II. Response to Claim Rejections under 35 U.S.C. § 103

A. Iwabuchi et al in view of et al

Claims 3-5 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Iwabuchi et al as applied to claims 2 and 6 above, and further in view of Nerriishi et al (U.S. Patent No. 6,784,448).

Applicants respectfully submit that the cited references do not teach or suggest the presently claimed invention.

As noted above, claim 3 is rewritten as an independent claim by incorporating the subject matter of claims 1 and 2. Claim 4 is canceled. Claim 5 is amended to depend from amended claim 3. Claim 7 is rewritten as an independent claim by incorporating the subject matter of claims 1 and 6.

As admitted by the Examiner, Iwabuchi et al does not teach that the reflective film is a thin film made of one of Al, Al alloys, Ag and Ag alloys, and a film thickness of the reflective film ranging from 0.01 to 5 μm as recited in amended claim 3. The Examiner also recognizes that Iwabuchi et al does not teach or suggest a barrier film made of one of silicon oxides, titanium

oxides, silicon nitrides, silicon oxynitrides, cerium oxides and magnesium fluorides and the film thickness of the barrier film of from 0.01 to 5 μm as recited in amended claim 7.

The Examiner relies on Neriishi et al to remedy these deficiencies.

Applicants claim priority to JP 2002-244628, filed in Japan on August 27, 2002, which antedates the publication date of Neriishi et al of October 31, 2002. The subject matter of the present claims is described in the priority document. A sworn English translation of the priority document is filed herewith in compliance with 37 CFR 1.55, thereby removing Neriishi et al as §102(a) prior art.

Applicants further submit that the invention of Neriishi et al and the present invention were commonly owned by Fuji Photo Film Co., Ltd., at the time that the present invention was made and therefore Neriishi et al cannot be used as §102(e) prior art against the present application in an obviousness rejection per 35 U.S.C. § 103(c).

Thus, because Iwabuchi et al does not teach or suggest all elements of the present invention and Neriishi et al is not available as prior art, the rejection cannot stand for this additional reason.

Accordingly, Applicants respectfully request withdrawal of the rejection.

B. Iwabuchi et al in view of Arakawa et al

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwabuchi et al in view of Arakawa et al (U.S. Patent No. 4,896,043).

Applicants respectfully traverse the rejection based on the following.

Applicants previously argued that Iwabuchi et al merely describes that annealing may be performed only for heating or cooling the substrate at the time of evaporation and that the wide possible range of heating temperature for annealing disclosed by Iwabuchi et al is far from disclosing the specific temperature of 120 to 250°C for heating the substrate and further of 150 to 250°C for annealing after evaporation as recited in the present claims. Thus, one of ordinary skill in the art would not have had a reasonable expectation of achieving the claimed invention recited in claim 15 based on the disclosure of Iwabuchi et al.

In response, the Examiner refers to paragraph [0039] of Iwabuchi et al as an express teaching of heating the substrate while the phosphor is deposited on the substrate and annealing it at a temperature of 50 to 600 °C after the vacuum deposition is complete.

However, upon further review, Applicants submit that based on the last sentences of paragraph [0039] of Iwabuchi et al, Iwabuchi et al actually discloses cooling or heating the support at an unspecified temperature while the phosphor is deposited on it, and then after the deposition is complete, the formed phosphor layer can be subjected to annealing treatment carried out, e.g., at a temperature of from 50 to 600° C. Thus, Iwabuchi et al does not disclose

a range of temperatures for the substrate heating and there is no motivation for one of ordinary skill to modify the disclosure of Iwabuchi et al.

On the other hand, evidence is provided in the present specification in Table 1 on page 20, which shows the criticality of the presently claimed range. Further, the experimental evidence in the present specification shows that heating the substrate at a temperature outside the 120-250° C range recited in claim 15 does not provide the excellent results provided by the present invention. Thus, for this additional reason, the present invention is patentable over the cited references.

Accordingly, Applicants respectfully request withdrawal of the rejection.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.111
U.S. App. Ser. No. 10/648,448

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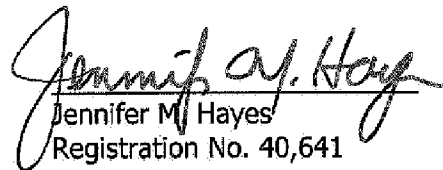
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